

By Hampie

PMP MAR 12 1957

hj.r. no. 96

A JOINT RESOLUTION

proposing a constitutional amendment to authorize the legislature to authorize an ad valorem tax of five cents for each \$100 of taxable property in rural fire prevention districts located in Harris County.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 48-d, Article III, Texas Constitution, is amended to read as follows:

Sec. 48-d. (a) The Legislature shall have the power to provide for the establishment and creation of rural fire prevention districts and, except as provided by Subsection (b) of this section, to authorize a tax on the ad valorem property situated in said districts not to exceed Three (3¢) Cents on the One Hundred (\$100.00) Dollars valuation for the support thereof.

- (b) The Legislature shall have the power to authorize a tax on the ad valorem property situated in a rural fire prevention district located in whole or part in Harris County not to exceed Five (5¢) Cents on the One Hundred (\$100.00) Dollars valuation for the support of the district.
- (c) Provided, however, [;--provided--that] no tax shall be levied in support of said districts until approved by vote of the people residing therein.
- SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 4, 1997. The ballot shall be printed to permit voting for or against the

proposition: "The constitutional amendment to authorize the legislature to authorize an ad valorem tax rate in rural fire prevention districts located in Harris County of five cents on each \$100 of taxable value of property."

HOUSE COMMITTEE REPORT

1st Printing

By Hamric

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H.J.R. No. 96

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H.J.R. No. 96

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COMMITTEE REPORT

The Honorable James E. "Pete" Laney Speaker of the House of Representatives

4 absent

3-19-97	
(date)	

SIr:										
We, your COMMITTEE	ON WAYS AND MEANS									
to whom was referred — back with the recommer		have had the	same under conside	eration and beg to report						
(X) do pass, without an() do pass, with amen() do pass and be not		ee Substitute is recomm	nended in lieu of the c	original measure.						
(X) yes () no A fis	scal note was requested.									
() yes (x) no Acı) yes (x) no A criminal justice policy impact statement was requested.									
() yes (×) no An	n equalized educational funding impact statement was requested.									
() yes (X) no Ana	An actuarial analysis was requested.									
() yes (x) no Aw	ater development policy impac	ct statement was reques	sted.							
(x) yes () no A ta	ax equity note was requested.									
() The Committee rec	ommends that this measure be	e sent to the Committee	on Local and Conse	ent Calendars.						
For Senate Measures:	House Sponsor									
Joint Sponsors:		,	,							
•										
The measure was report	ted from Committee by the follo	owing vote: NAY	PNV	ABSENT						
Craddick, Chair	×									
Ramsay, Vice-chair	×									
Grusendorf	×									
Heflin	×									
Holzheauser	X									
Horn				X						
Oliveira	×									
Stiles				×						
Telford	X									
Thompson				×						
Williamson				×						
W. S										
T-4-1			<u> </u>							
Total -	<u>7</u> aye		in Ceally	a.						
	nay		n Claske	<u> </u>						
	present, not voting	CHAIR								

BILL ANALYSIS

WAYS & MEANS
H.J.R. 96
By: Hamric
3-25-97
Committee Report (Unamended)

BACKGROUND

Section 794.018 (a), Health and Safety Code (Election), allows a Rural Fire Prevention District (RFPD) to levy a tax not to exceed three cents on each \$100 of the taxable value of property taxable by the district. Some RFPD's may have difficulty maintaining services at this funding level.

PURPOSE

This joint resolution would amend the constitution and to allow the legislature to increase the maximum tax rate levied by an RFPD in Harris County from three cents per \$100 valuation to five cents per \$100 valuation. Approval by voters in the district is required before any tax increase becomes effective.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency or institution.

SECTION BY SECTION ANALYSIS

- SECTION 1. Amends Section 48-d, Article III, Texas Constitution as follows:
 - (a) States that the limit of three cents per \$100 valuation continues to apply except as provided by Subsection (b).
 - (b) and (c) Allows the Legislature to authorize a maximum tax rate of five cents per \$100 on the ad valorem property situated in a rural fire prevention district that is located in whole or part in Harris County. However, no tax may be levied until approved by a vote of the people residing in the district.
- SECTION 2. Election date: November 4, 1997. The ballot must be printed to permit voting for or against the proposition; provides for language on ballot.

LEGISLATIVE BUDGET BOARD Austin, Texas

FISCAL NOTE 75th Regular Session

March 18, 1997

To:

Honorable Tom Craddick, Chair

Committee on Ways & Means

House

Austin, Texas

IN RE: House Joint Resolution

No. 96

By: Hamric

From: John Keel, Director

In response to your request for a Fiscal Note on HJR96 (Proposing a constitutional amendment to authorize the legislature to authorize an ad valorem tax of five cents for each \$100 of taxable property in rural fire prevention districts located in Harris County.) this office has determined the following:

Biennial Net Impact to General Revenue Funds by HJR96-As Introduced

No significant fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$71,000.

The joint resolution would propose a constitutional amendment changing the amount ' of ad valorem property tax the legislature has the power to authorize on property in rural fire prevention districts located in whole or in part in Harris County. The joint resolution would allow the legislature to authorize an ad valorem property tax not to exceed five (\$0.05) cents on the one hundred (\$100) dollars valuation.

The constitutional amendment would take effect if approved by the voters at an election held November 4, 1997, and certified by the Secretary of State.

Dependant upon passage of enabling legislation contained in HB2649 and if all rural fire prevention districts in Harris County approved the increase to the maximum allowed, additional local revenue would be \$3.5 million.

Source:

Agencies: 304 Comptroller of Public Accounts

LBB Staff: JK, RR, BR

LEGISLATIVE BUDGET BOARD

Tax/Fee Equity Note

March 14, 1997

TO:

Honorable Tom Craddick, Chair

Committee on Ways & Means

House

Austin, Texas

IN RE: House Joint Resolution

No. 96

By: Hamric

FROM: John Keel, Director

In response to your request for a Tax/Fee Equity Note on HJR96 (Proposing a constitutional amendment to authorize the legislature to authorize an ad valorem tax of five cents for each \$100 of taxable property in rural fire prevention districts located in Harris County.) this office has determined the following:

This measure does not create or impact a state tax or fee.

WITNESS LIST

HJR 96 HOUSE COMMITTEE REPORT Ways & Means Committee

March 19, 1997 - 4:00P
For: Curtis J. Cook (Assoc. of Rural Fire Pr)
Rep. Peggy Hamric (Herself)

SUMMARY OF COMMITTEE ACTION

HJR 96

March 19, 1997 4:00PM
Considered in public hearing
Testimony taken in committee
Reported favorably without amendment(s)

HOUSE ENGROSSMENT

By Hamric

H.J.R. No. 96

A JOINT RESOLUTION

proposing a constitutional amendment to authorize the legislature to authorize an ad valorem tax of five cents for each \$100 of taxable property in rural fire prevention districts located in Harris County.

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- (b) The Legislature shall have the power to authorize a tax on the ad valorem property situated in a rural fire prevention district located in whole or part in Harris County not to exceed Five (5¢) Cents on the One Hundred (\$100.00) Dollars valuation for the support of the district.
- (c) Provided, however, [;--provided--that] no tax shall be levied in support of said districts until approved by vote of the people residing therein.
- SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 4, 1997. The ballot shall be printed to permit voting for or against the

H.J.R. No. 96

proposition: "The constitutional amendment to authorize the legislature to authorize an ad valorem tax rate in rural fire prevention districts located in Harris County of five cents on each \$100 of taxable value of property."

Hamric (Senate Sponsor - Lindsay) H.J.R. No. 96 1-1 (In the Senate Received from the House April 17, 1997; April 18, 1997, read first time and referred to Committee on Intergovernmental Relations; May 13, 1997, reported favorably by 1-2 1-3 1 - 4the following vote: Yeas 9, Nays 0; May 13, 1997, sent 1-5 printer.)

HOUSE JOINT RESOLUTION

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on the ad valorem property situated in a rural fire prevention district located in whole or part in Harris County not to exceed Five (5¢) Cents on the One Hundred (\$100.00) Dollars valuation for

the support of the district.

(c) Provided, however, [;-provided-that] no tax shall be levied in support of said districts until approved by vote of the people residing therein.

SECTION 2. This proposed constitutional amendment shall submitted to the voters at an election to be held November 4, 1997. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment to authorize the legislature to authorize an ad valorem tax rate in rural fire prevention districts located in Harris County of five cents on each \$100 of taxable value of property."

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FAVORABLE SENATE COMMITTEE REPORT ON

SB SCR SJR SR HB HCR (HJR) 96	
By(Author/Senete Sponsor)	
<u>5-18-97</u> (date)	
VIII.	

Sir:		
We, your Committee on INTERGOVE	MENTAL RELATIONS , to which was referred the attached	l measure
have on SIBP (date of hearing) back with the recommendation (s) that:	, had the same under consideration and I am instructed to	o report it
do pass and be printed		
() do pass and be ordered not printed		
and is recommended for placement of	the Local and Uncontested Bills Calendar.	
A fiscal note was requested.	yes () no	
A revised fiscal note was requested. An actuarial analysis was requested. Considered by subcommittee.	() yes (no	
An actuarial analysis was requested.	() yes (no /	
Considered by subcommittee.	() yes () no	
The measure was reported from Commit	e by the following vote:	

	YE,A	NAY	ABSENT	PNV
Senator Lucio, Chair	V.			
Senator Galloway, Vice-Chair	1			
Senator Cain	V			
Senator Carona				
Senator Gallegos				
Senator Lindsay				
Senator Madla				
Senator Moncrief				
Senator Ogden				
Senator Shapiro	<i>\rightarrow</i>			
Senator Whitmire				
TOTAL VOTES	9	0	2	

COMMITTEE ACTION

CHAIRMAN

\$260		ered in public ony Lah en	hearing
	m	BK	Me
COMM	HTTEF	CLERK 7	

Paper clip the original and one copy of this signed form to the original bill Retain one copy of this form for Committee files

BILL ANALYSIS

Senate Research Center

H.J.R. 96 By: Hamric (Lindsay) Intergovernmental Relations 5-7-97 Engrossed

DIGEST

Section 794.018(a), Health and Safety Code, allows a Rural Fire Protection District to levy a tax not to exceed three cents on each \$100 of the taxable value of property by the district. This bill changes the amount of tax from three cents to five cents on every \$100 of the taxable value of property by the district.

PURPOSE

As proposed, H.J.R. 96 requires the submission to the voters of a constitutional amendment authorizing the legislature to authorize an ad valorem tax of five cents for each \$100 of taxable property in rural fire prevention districts located in Harris County.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 48-d, Article III, Texas Constitution, to require the legislature to have the power to authorize a tax on the ad valorem property situated in a rural fire prevention district located in whole or part in Harris County not to exceed five cents on the \$100 valuation for the support of the district. Makes conforming changes.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 4, 1997. Sets forth the required language for the ballot.

LEGISLATIVE BUDGET BOARD Austin, Texas

FISCAL NOTE 75th Regular Session

May 8, 1997

To:

Honorable Eddie Lucio, Jr., Chair Committee on Intergovernmental Relations

Senate

Austin, Texas

IN RE: House Joint Resolution

No. 96, As Engrossed

By: Hamric

From: John Keel, Director

In response to your request for a Fiscal Note on HJR96 (Proposing a constitutional amendment to authorize an ad valorem tax of five cents for each \$100 of taxable property in rural fire prevention districts located in Harris County.) this office has determined the following:

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No significant fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$71,000.

The joint resolution would propose a constitutional amendment changing the amount of ad valorem property tax the legislature has the power to authorize on property in rural fire prevention districts located in whole or in part in Harris County. The joint resolution would allow the legislature to authorize an ad valorem property tax not to exceed five (\$0.05) cents on the one hundred (\$100) dollars valuation.

The constitutional amendment would take effect if approved by the voters at an election held November 4, 1997, and certified by the Secretary of State.

Dependent upon passage of enabling legislation contained in HB2649 and if all rural fire prevention districts in Harris County approved the increase to the maximum allowed, additional local revenue would be \$3.5 million.

Source:

Agencies: 304 Comptroller of Public Accounts

LBB Staff: JK, TL, RR, BR

LEGISLATIVE BUDGET BOARD Austin, Texas

FISCAL NOTE 75th Regular Session

March 18, 1997

To:

Honorable Tom Craddick, Chair

Committee on Ways & Means

House

Austin, Texas

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LBB Staff: JK, RR, BR

LEGISLATIVE BUDGET BOARD

Tax/Fee Equity Note

March 14, 1997

TO: Honorable Tom Craddick, Chair

Committee on Ways & Means

House

Austin, Texas

IN RE: House Joint Resolution

No. 96

By: Hamric

FROM: John Keel, Director

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This measure does not create or impact a state tax or fee.

WITNESS LIST

HJR 96 SENATE COMMITTEE REPORT Intergovernmental Relations Committee

May 12, 1997 - 9:00A
Written materials submitted:
For: Cook, Curtis (Rural Fire Prevention D), Houston

ENROLLED

H.J.R. No. 96

A JOINT RESOLUTION

prop	osing a co	nstit	utional	amen	dment	to	autho	orize	the	legi	slatı	ure
to	authorize	an a	ad val	orem	tax	of	five	cents	for	each	\$100	of
taxa	ble proper	ty in	rural	fire	pre	vent	cion	distr	icts	loca	ited	in
Harr	is County.	,										

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H.J.R. No. 96

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H.J.R. No. 96

	Preside	nt of t	he Senate			Spea	aker	of t	the Ho	use	
	I cer	tify th	at H.J.R.	No. 96	was	passed	d by	the	House	on A	pril
16,	1997,	by the	following	vote:	Yeas	145,	Nays	0,	1 pre	sent,	not
voti	ing.										
						Chie	f Cle	rk d	of the	Hous	e
	I cer	tify th	at H.J.R.	No. 96	was	passe	d by	the	Senat	e on	May
21,	1997,	by the	followin	g vote:	Yea	as 30,	Nays	0,	1 pre	sent,	not
voti	ing.										
					-						
						Secr	etary	of	the S	enate	
RECI	EIVED:										
			Date								
		Secre	tary of S	tate							

Preside	nt of the Senate		Speaker of the House
I cer	tify that H.J.R.	No. $\frac{96}{(1)}$	was passed by the House on
April	(2)	, 1997,	by the following vote: not voting
Yeas 145,	Nays 0, 1 F	reseut,	not voting
(3)		(4)	
			Chief Clerk of the House
I cer	tify that H.J.R.	No. 96	was passed by the Senate on
May 2	-1 '	, 1997,	by the following vote:
			not voting
(6)	Nays	'(7	7)
		_	Secretary of the Senate
			20000000, 00 0000 200000
RECEIVED:			
			
	Date		
	Secretary of S	tate	

**** Preparation: CT23;

75TH LEGISLATURE

COAUTHOR AUTHORIZATION

(please request your coauthors to sign this form in lieu of the front or the back of the original bill)

For chief clerk use only
Bill or Resolution Number: 476

Secret Browning

1/2 15	\mathcal{O}	110
Alacer Hambe	Teggy	HAV
signature of frimary author	printed name of	primary a

Heaver I	ampes	Leggy	HAMRIC	3-1	1-97
_signature of primary aut		printed name of p	rimary author	Date	
PERMISSION TO SIGN ALL REPRESE THE FOLLOW	(bill or resolu			k only one of the following	ng):
I authorize the Chief Cle	rk to include my	name as a coauthor of the	e legislation indi	cated above:	
A2120 Alexander	Date	A2645 Cuellar	Date	A2935 Giddings	Date
A2115 Allen	Date	A2635 Culberson	Date	A2880 Glaze	Date
A2105 Alvarado	Date	A2670 Danburg	Date	A2985 Goodman	Date
A2135 Averitt	Date	A2675 Davila	Date	A2990 Goolsby	Date
A2160 Bailey	Date	A2625 Davis	Date	A3005 Gray	Date
A2200 Berlanga	Date	A2680 Delisi	Date	A3010 Greenberg	Date
A2250 Bonnen	Date	A3385 Denny	Date	A3020 Grusendorf	Date
A2275 Bosse	Date	A2705 Driver	Date	A3030 Gutierrez	Date
A2260 Brimer	Date	A2665 Dukes	Date	A3035 Haggerty	Date
A2255 Burnam	Date	A2660 Dunnam	Date	A2695 Hamric	Date
A2400 Carter	Date	A2650 Dutton	Date	A3170 Hartnett	Date
A2585 Chavez	Date	A2770 Edwards	Date	A3345 Hawley	Date
A2480 Chisum	Date	A2760 Ehrhardt	Date	A3180 Heflin	Date
A2525 Christian	Date	A2775 Eiland	Date	A3230 Hernandez	Date
A2520 Clark	Date	A2785 Elkins	Date	A3240 Hightower	Date
A2435 Coleman	Date	A2810 Farrar	Date	A3310 Hilbert	Date
A2565 Cook	Date	A2830 Finnell	Date	A3250 Hilderbran	Date
A2595 Corte	Date	A2840 Flores	Date	A3275 Hill	Date
A2600 Counts	Date	A2920 Gallego	Date	A3270 Hinojosa	Date
A2605 Crabb	Date	A2910 Galloway	Date	A3285 Hirschi	Date
A2610 Craddick	Date	A2930 Garcia	Date	A3305 Hochberg	Date

A3290 Hodge	Date	A3845 McReynolds	Date	A4435 Shields	Date
A3295 Holzhcauser	Date	A3840 Merritt	Date	A4445 Siebert	Date
A3300 Horn	Date	A3850 Moffat	Date	A4525 Smith	Date
A3315 Howard	Date	A3860 Moreno	Date	A4530 Smithee	Date
A3355 Hunter	Date	A3865 Mowery	Date	A4550 Solis	Date
A3360 Hupp	Date	A3885 Naishtat	Date	A4505 Solomons	Date
A3375 Isett	Date	A3895 Nixon	Date	A4515 Staples	Date
A3380 Jackson	Date	A3875 Oakley	Date	A4510 Stiles	Date
A3415 Janek	Date	A3880 Oliveira	Date	A4570 Swinford	Date
A3405 Jones, Delwin	Date	A3886 Olivo	Date	A4585 Talton	Date
A3400 Jones, Jesse	Date	A4010 Palmer	Date	A4605 Telford	Date
A3440 Junell	Date	A4070 Patterson	Date	A4630 Thompson	Date
A3460 Kamel	Date	A4180 Pickett	Date	A4635 Tillery	Date
A3475 Keel	Date	A4185 Pitts	Date	A4640 Torres	Date
A3480 Keffer	Date	A4110 Place	Date	A2730 Turner, Bob	Date
A3465 King	Date	A4190 Price	Date	A4685 Turner, Sylvester	Date
A3485 Krusee	Date	A4200 Puente	Date	A4690 Uher	Date
A3490 Kubiak	Date	A4230 Rabuck	Date	A4720 Van de Putte	Date
A3450 Kuempel	Date	A4210 Ramsay	Date	A4990 Walker	Date
A3510 Laney	Date	A4240 Rangel	Date	A4995 West	Date
A3605 Lewis, Glenn	Date	A4235 Raymond	Date	A5035 Williams	Date
A3600 Lewis, Ron	Date	A4245 Reyna, Arthur	Date	A5010 Williamson	Date
A3615 Longoria	Date	A4236 Reyna, Elvira	Date	A5000 Wilson	Date
A3620 Luna, Vilma	Date	A4260 Rhodes	Date	A5020 Wise	Date
A3715 Madden	Date	A4315 Rodriguez	Date	A5015 Wohlgemuth	Date
A3750 Marchant	Date	A4320 Roman	Date	A4980 Wolens	Date
A2700 Maxey	Date	A4370 Sadler	Date	A5005 Woolley	Date
A3665 McCall	Date	A4420 Seaman	Date	A5025 Yarbrough	Date
A3650 McClendon	Date	A4460 Serna	Date	A5040 Zbranek	Date

for chief clerk use only Bill or Resolution Number:

JOINT AUTHOR AUTHORIZATION

As primary author of I hereby authorize the following joint author(s): (bill or resolution #)		
Paul Hilbert printed name of joint author #1	signature of joint author #1	
printed name of joint author #2	signature of joint author #2	
printed name of joint author #3	signature of joint author #3	
printed name of joint author #4 Amuse signature of primary author	signature of joint author #4	
dota		

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H.J.R.	No.	70	

By Hame

Proposing a constitutional amendment to authorize the legislature to authorize an ad valorem tax of five cents for each \$100 of taxable property in rural fire prevention districts located in Harris County.

MAR 1 2 1997	Filed with the Chief Clerk
MAR 1 3 1997	Read first time and referred to Committee on Ways & Means
MAR 1 9 1997	Reportedfavorably (as amended)
MAK 26 1980	(as substituted) Sent to Committee on Calendars
APR 1 6 1997	Read second time (community) and adopted (passed to think adding) by a
	record vote of 145 yeas, 0 nays, present, not voting
	Read third time (amended) and finally adopted (failed of adoption) by a record vote of yeas, nays, present, not voting
APR 1 0 1997	Engrossed
APR 17 1997	Sent to Senate Suron Oxyler
	CHIEF CLERK OF THE HOUSE
OTHER HOUSE ACTIO	N:
APR 11 1 1397	Received from the House
APR 1, 8 1997	Read and referred to Committee onINTERGOVERNMENTAL RELATIONS
MAY 1 8 1997	Reported favorably
	Reported adversely, with favorable Committee Substitute; Committee Substitute read first time
	_ Ordered not printed
	_ Laid before the Senate
MAY 2 1 1997	Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)
MAY 2 1 1997	Read second time,, and passed to third reading by (unanimous consent) (a viva-voce vote)
	(yeas, nays)
MAY 21 1997	Senate and Constitutional 3 Day Rules suspended by a vote of 30 yeas, 0 nays $1\rho NV$
FAY 2 1 1997	Read third time,, and passed by 30 yeas, 0 nays / p N V
may 21, 1997	Returned to the House
OTHER SENATE ACT	SECRETARY OF THE SENATE

NOSSE OF REPRESENCATIVE